

Appl. No. : 10/790670
Filed : March 1, 2004

REMARKS

Allowed Subject Matter

Applicant wishes to thank the Examiner for indicating that Claims 3-10 would be allowable if written in independent form. Claims 3, 4 and 9 have been amended to be independent claims. Claims 7 and 8 have also been amended in response to the Examiner's objections to the Drawings and Specification.

Withdrawn Claims

Claims 13-26 were previously withdrawn. In this Amendment, Claims 13-26 have been canceled without prejudice.

Drawings and Specification

The Examiner has object to the Drawings and Specification for failing to show or provide antecedent basis for "resistance of radial inward deflection of the wire" and "first body and second body".

With respect to the phrase "resistance of radial deflection of the wire" of Claim 1, Applicant respectfully notes that actual language of Claim 1 is "the wire resists radial inward deflection of the distal anchor." (Underlining added). Applicant respectfully directs the Examiner to Figure 9 and paragraphs 0063-0067, which describes how the wire 150 prevents the arms 23 of the distal anchor 30 from deflecting inwards to the lumen 11. The radial inward compression of the of the lever arms 23 and barbs 50 towards the lumen is further described in paragraph 49. Accordingly, Applicant respectfully submits that Drawings do show this feature and that the Specification provides proper antecedent basis for this claim language.

With respect to the terms, "first body" and "second body", Applicants have chosen to amend the pending claims such that they refer to an "outer body" and "central body". This language is consistent with the terms used to describe elements 210 and 250 in Figure 11 (see also paragraph 0085).

Claim Objection

Claim 11 has been canceled, so the rejection is moot.

Claim Rejections

The Examiner has rejected claims 1-2 and 11-12 under 35 USC 102(a) as being obvious over the combined teaching of Moreira (US 2,243,717) and Cachia (US 5,893,850). The rejected

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claims have been canceled, so the rejection is moot. Applicant reserves the right to pursue the rejected claims in their original form in a continuing application.

Requirement for information

In light of the amendments to the claims made in this Amendment, for the purposes of Examination, Applicant respectfully requests that the Examiner disregard the continuation-in-part priority claims to U.S. Patent Application No. 09/558,057 and U.S. Patent No. 6,632,224. Applicant reserves the right to claim priority to these applications later in prosecution or in a continuing application.

CONCLUSION

In view of the above, it is submitted that the claims are in condition for allowance. Reconsideration and withdrawal of all outstanding rejections are respectfully requested. Allowance of the claims at an early date is solicited. If any points remain that can be resolved by telephone, the Examiner is invited to contact the undersigned at the below-given telephone number.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 5-30-06

By: Rabinder N. Narula

Rabinder N. Narula
Registration No. 53,371
Attorney of Record
Customer No. 20,995
(805) 547-5580

AMEND

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